

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1854 - SB 2187

February 12, 2016

SUMMARY OF BILL: Sets a minimum period of confinement of 15 days for Class A misdemeanor evading arrest when the subject is in possession of a deadly weapon at the time of arrest.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – \$278,300/Incarceration*

Assumptions:

- Statistics from the Administrative Office of the Courts show an average of 371 convictions over the last five years for Class A misdemeanor evading arrest. These statistics represent convictions at the state court level. It is assumed that only 10 percent of misdemeanor convictions are at the state court level. It is assumed that there are a total of 3,710 convictions (371 x 10) per year for Class A misdemeanor evading arrest.
- It is further assumed that 25 percent ($3,710 \times 0.25 = 927.5$) of these convictions involved the defendant possessing a deadly weapon.
- There is no data on the average time served for Class A misdemeanor evading arrest. It is assumed that the average time served for each person convicted is 10 days.
- The bill will result in each person serving an additional five days.
- The estimated 2016 cost per inmate per day for local jails is \$60.00.
- The bill will result in a recurring increase in local incarceration costs of \$278,250 (927.5 convictions x 5 days x \$60.00 per day).
- The bill will not create any new cases. It is assumed that the courts, district attorneys, and public defenders can handle any impact within their existing resources.
- The Administrative Office of the Courts, the District Attorneys General Conference, and the District Public Defenders Conference confirm that the bill will not significantly impact their operations.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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